

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Miyano Machinery USA Inc.,

Plaintiff,

v.

MiyanoHitec Machinery, Inc.,  
Thomas ("Tom") Miyano, a/k/a  
Toshiharu Miyano and Steven Miyano,  
a/k/a Shigemori Miyano,

Defendants

Civil Action No. **08 C 526**

Hon. Virginia Kendall

Magistrate Judge Nolan

**JURY TRIAL DEMANDED**

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MiyanoHitec Machinery, Inc.,  
Thomas ("Tom") Miyano, a/k/a  
Toshiharu Miyano and Steven Miyano,  
a/k/a Shigemori Miyano,

Counterclaim-Plaintiffs

v.

Miyano Machinery USA Inc. and

Counterclaim-Defendants

Miyano Machinery Inc.,

Third-Party Defendants

**DECLARATION OF ALEXANDER SIMON**

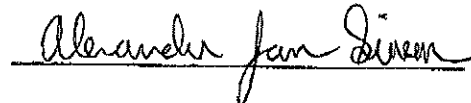
I, Alexander Simon, declare as follows:

1. I reside at 19957 West Clairview Court, Grosse Pointe Woods, MI 48236. I am currently a full-time, undergraduate student at Loyola University in Chicago, Illinois.
2. At the request of counsel for plaintiff, Joel H. Bock, I attended the Michigan Minority Business Development Council's Procurement

Conference & Trade Fair (the "Conference"), which occurred at the Cobo Conference and Exhibition Center in Detroit, Michigan on May 14, 2008.

3. Using a digital camera, I took a series of photographs of a booth at the Conference. I e-mailed the digital photographs to Mr. Bock on May 14, 2008. The photographs that I e-mailed to Mr. Bock were not altered in any manner from the images originally created in my camera. Copies of the photographs I took are attached hereto as Exhibit 1 and are bates numbered MMU0022177 through MMU0022183. The photographs I e-mailed to Mr. Bock and the copies thereof attached hereto as Exhibit 1 fairly and accurately represent the booth as it appeared at the Conference on May 14, 2008.
4. The photograph bates numbered MMU00221780 shows a business card, which came from a stack of such business cards that were available on the table in front of a booth at the Conference on May 14, 2008.
5. The photograph bates numbered MMU00221781 shows a receipt for my entry to the Conference on May 14, 2008.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

June 26, 2008

A handwritten signature in cursive script, reading "Alexander Jan Simon", written in black ink over a horizontal line.

Alexander Simon

# **Exhibit 1**



MMU0022177





MMU0022178





MMU0022179

Certified Member of Chicago Minority Business Development Council, Inc. (CMBDC)  
Distributor of World Wide Machine supply and service for USA Based Companies



Headquarter

# **MF Tom & Steven Miyano Machinery** ( MIYANOHITEC MACHINERY, INC. )

President

**Steven S. Miyano**

**50 Dundee Lane, Barrington Hills, Illinois 60010-5106 USA**

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**F:847-382-4928 mobile-JPN:090-6139-6011 mail to : miyano@miyanohtec.com**

[www.miyanohtec.com](http://www.miyanohtec.com)

we are NOT affiliated with Miyano Machinery, Inc. and Miyano Machinery USA, Inc. in any way.

MMU0022180

MCHGNHNRITYBSNCSDEVNCIL  
311 W. GRAND BLVD #230  
DETROIT, MI 48202  
313-873-3200

C O P Y  
05/14/2008 14:27:01  
Sale:

Transaction # 125  
Card Type: VISA  
Acc: \*\*\*\*\*9416  
Entry: Manual  
Total: 50.00

Auth.Code: 022914  
Respon. APPROVED 022914

MMU0022181





MMU0022182

